AT COURT-MARTIAL 6/29/67

Burbank Marine Freed in Death of Viet Civilian

A general court-martial board in Da Nang, South Vietnam, acquitted a U.S. marine Wednesday of murdering a Vietnamese civilian when he and another marine fired their rifles from a truck.

The Associated Press reported that Lance Cpl. Douglas R. Collard, 20, of Burbank, Calif., was tried on a charge of premeditated murder on which he could have been given a life sentence if convicted. He was also acquitted on an assault charge.

His companion, Lance Cpl. John D. Widener, 20, of Rossburg, Ohio, was convicted in April on three counts of careless discharge of a firearm. He was fined $240 and reduced to the rank of private.

Collard was represented by Grant B. Cooper, Los Angeles lawyer, and Marine Capt. Harry Sabine of Crossville, Tenn.

One Killed, Two Wounded

The Vietnamese man was killed and another man and woman were wounded Nov. 24 as a truckload of marines passed their house en route to a base near Da Nang. The marines had spent the afternoon swimming and drinking beer at a beach near Da Nang.

The dead man's son, a Vietnamese militiaman, testified he heard four or five shots and saw his father drop to the floor of their house.

He said he looked outside and saw the truck going by with five or six Americans in it. They appeared to be drunk and were laughing, he said.

Collard, a cook, testified that he was in the truck but fired only one shot and that it was directed into the air. He said he did not know why he fired. He also said Widener fired several shots.

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The prosecution presented an expended bullet that matched the rifle allegedly held by Collard at the time. The bullet was found on the floor inside the dead man's house. The prosecution contended this was the bullet that killed the man.

Leland Jones, retired head of the Los Angeles Police Department's crime laboratory, testified that the bullet could not possibly have entered a human body. He said extensive tests on the bullet indicated that it was fired from the rifle allegedly held by Collard. But he said blood or tissue would have remained on the bullet for years if it had hit the man and he could find no trace of either.

The eight-officer court took just under an hour to reach the acquittal verdict which ended the three-day trial.

In Burbank, Collard's wife, Cindy, 19, of 1224 N. Reese Pl., was elated when informed of her husband's acquittal. "It's just so wonderful. I just can't believe t."

Since the incident, she said they had been in regular correspondence. She had talked to him once by way of short wave radio as well.

"He was scared and upset, but he felt that he hadn't done it," she said.

Collard's tour of duty in Vietnam was to have been up last March and his wife expects him to be returning to the United States "as soon as possible."